

Adult Protective Services

Chapter 5.A Investigation Findings

- A. At the conclusion of investigation, the CFS Specialist will arrive at a finding regarding the allegations based on information gathered and analyzed. The CFS Specialist will enter the case finding into N-FOCUS within 7 business days of a case status decision approved by the CFS Supervisor.
- B. Multiple allegations
The CFS Specialist will investigate each allegation separately and determine a finding for each allegation.
- C. Multiple perpetrators
When there are multiple perpetrators, the CFS Specialist will investigate each allegation and perpetrator separately and make a finding for each perpetrator.
- D. After completion of the Investigation, the CFS Specialist will:
 - 1. Determine a case finding using the definitions provided in the following section.
 - 2. Conduct a mandatory consultation with the CFS Supervisor to obtain approval of the recommended case finding.
 - a. The CFS Specialist and Supervisor will determine:
 - i. There is credible evidence based on observations, witness statements and other information;
 - ii. That vulnerable adult abuse, neglect, or exploitation has occurred per statute definition; and
 - iii. Abuse, neglect, or exploitation occurred; and whether to offer ongoing service coordination.
 - 3. At the conclusion of the investigation, enter the case finding and consultation point documentation on N-FOCUS in the Case Finding Field within 7 business days of consultation.
 - 4. Enter the date of the finding into N-FOCUS and enter whether services were not needed, accepted, or refused.
 - 5. Send notification to the perpetrator and the alleged victim.
- E. Notification of Findings –
 - 1. Person's Name Placed on Central Registry:
 - a. The CFS Specialist will inform, in writing, any person whose name will be entered on the Central Register with a finding of "Court Substantiated" or "Agency Substantiated". When the case status determination is made that places the individual on the Central Registry a letter of notification will be sent to the identified perpetrator.
 - i. The notice letter will be sent by certified mail with return receipt requested, or if the actual address is uncertain, by first class mail to the last known address of the subject of the report.
 - ii. The notification letter generated by N-FOCUS includes the nature of the report, the classification of the report, and the subject's right to request that DHHS amend or expunge identifying information from the report, or to remove the substantiated report from the Central Register.
 - iii. The notification letter shall be sent within 3 business days of the finding.

Adult Protective Services

- b. Proof of notification to the alleged perpetrator will be maintained in the case file. Proof of notification will include a copy of the notice letter, and the certified mail green return card or copy of electronic receipt.
- 2. Person's Name Not Placed on Central Registry:
 - a. Individuals whose names will not be placed on the Central Registry will also be notified in writing. Written notification generated by N-FOCUS will be sent by first class mail.
- 3. Adult who is the subject of the report:
 - a. The CFS Specialist will notify the alleged victim of the findings of the investigation. Written notification generated by N-FOCUS will be sent by first class mail. This notification should be sent within 10 working days of the completion of the investigation.
 - i. Note: If the alleged victim is not a vulnerable adult, no letter needs to be sent.
- 4. Alleged Perpetrator is Surrogate Decision Maker
 - a. If the CFS Specialist discovers through investigation that the alleged perpetrator is a surrogate decision maker (i.e. Power Of Attorney, Payee, etc.) for the vulnerable adult and the allegations of abuse, neglect, or exploitation have been substantiated, the CFS Specialist will review the allegations and the findings with the vulnerable adult to determine the options and to assist the vulnerable adult to develop an intervention plan.
 - b. If the alleged perpetrator is the guardian or conservator of the alleged victim and the allegations are substantiated, the CFS Specialist will notify, in writing, the probate court having jurisdiction over the guardianship.
 - i. If the intent is to notify the court that the alleged perpetrator has been placed on the central registry, the CFS Specialist will submit a letter to the County Court Judge with the information and copy of the perpetrator notification letter is mailed to the court.
 - ii. If the intent is to request the removal of a guardian, as a person interested in the welfare of a ward, the CFS Specialist will consult with Legal and Regulatory Services to assist to file the Application and Affidavit for the Intervention on Behalf of the Welfare of the Ward.
<http://www.supremecourt.ne.gov/guardians-and-conservatorship>